

November 25, 2008

TO: Members of the MAG Regional Council

FROM: Mayor Mary Manross, Scottsdale, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 5:00 p.m.

Wednesday, December 3, 2008
MAG Office, Suite 200 - Saguaro Room
302 North 1st Avenue, Phoenix

Dinner - 6:30 p.m.

MAG Office, Suite 200

The next MAG Regional Council meeting will be held at the MAG offices at the time and place noted above. Members of the Regional Council may attend either in person, by videoconference or by telephone conference call. Members who wish to remove any items from the Consent Agenda are requested to contact the MAG office. MAG will host a dinner/reception for the Regional Council members following the meeting in the MAG Cholla Room on the 2nd floor. Supporting information is enclosed for your review.

Please park in the garage underneath the building. Parking places will be reserved for Regional Council members on the first and second levels of the garage. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

If you have any questions, please call the MAG office.

c: MAG Management Committee

**MAG REGIONAL COUNCIL
TENTATIVE AGENDA
December 3, 2008**

	<u>COUNCIL ACTION REQUESTED</u>
1. <u>Call to Order</u>	
2. <u>Pledge of Allegiance</u>	
3. <u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Regional Council on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Regional Council requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4. <u>Executive Director's Report</u> The MAG Executive Director will provide a report to the Regional Council on activities of general interest.	4. Information and discussion.
5. <u>Approval of Consent Agenda</u> Council members may request that an item be removed from the consent agenda. Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items. Consent items are marked with an asterisk (*).	5. Approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

MINUTES

*5A. <u>Approval of the September 24, 2008, Meeting Minutes</u>	5A. Review and approval of the September 24, 2008, meeting minutes.
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TRANSPORTATION ITEMS

*5B. Arterial Life Cycle Program Status Report

A status report on the Arterial Life Cycle Program (ALCP) is provided for the period between April 2008 and September 2008 and includes an update on Project work, the remaining FY 2009 schedule, and ALCP revenues and finances. Please refer to the enclosed material.

*5C. Requested Change to Statewide Transportation Acceleration Needs (STAN) Projects

In December 2006, the MAG Regional Council approved the set of projects to be funded from the Statewide Transportation Acceleration Needs (STAN) Account. One of the STAN projects that is under construction is the HOV lane on L101 from Tatum Boulevard to Princess Drive. The bid for this project was about \$12.2 million less than the \$32.5 million of STAN funds allocated to this project. Another STAN project, which is on L303, involved the construction of crossings at Bell Road, Cactus Road and Waddell Road for a total of \$22 million. Final design for this project is underway and the construction costs have been revised to \$34.1 million. In addition, the right of way acquisition to complete this project is estimated at \$26.2 million. A shift of the project savings from the L101 HOV project to the L303 project is being requested. There is no fiscal impact on the MAG Freeway Program. The MAG Management Committee and the Transportation Policy Committee recommended approval of the request. Please refer to the enclosed material.

*5D. Input on Business Representatives on the Transportation Policy Committee

With the passage of Proposition 400 on November 2, 2004, the President of the Senate and the Speaker of the House of Representatives were authorized to appoint six business members to the Transportation Policy Committee (TPC). State law also provides that the Chairman of the Regional Planning Agency may submit names to the President and Speaker for consideration. On

5B. Information.

5C. Approval of the request to decrease STAN funding by \$12.2 million for the L101 from Tatum Boulevard to Princess Drive project and increase the funding by \$12.2 million for the L303 project that includes crossings at Bell Road, Cactus Road, and Waddell Road.

5D. Approve having the Chair of the MAG Regional Council forward the two names recommended by the TPC to the Speaker of the House of Representatives for consideration.

December 31, 2008, the terms of two of the TPC business members will expire. On October 28, 2008, a memorandum was sent to Regional Council members requesting names for the business representatives. One of the two business members must represent construction interests. This is defined in state law as "a company whose primary function consists of building freeways, highways or major arterial streets." The other business member would represent regionwide business. The law defines regionwide business as "a company that provides goods or services throughout the county." State law provides that members serve six-year terms of office. At the November 19, 2008, TPC meeting the names of three individuals were brought forward. Two of the individuals currently serve on the Committee: Mr. Jed Billings of FNF Construction, (construction interest seat), and Mr. Mark Killian of The Killian Company/Sunny Mesa Inc. (regionwide business interest seat). The third individual whose name was brought forward is Mr. Doug Pruitt of Sundt Construction. Both Mr. Billings and Mr. Killian have indicated their willingness to serve on the TPC if appointed. Since the TPC meeting, Mr. Pruitt has indicated that although he appreciates the opportunity to serve on the TPC, he would be unable to fulfill the duties required of the position. The Regional Council is requested to approve having the Chair of the Regional Council forward the two names recommended by the TPC to the President of the Senate for consideration. Please refer to the enclosed material.

*5E. ADOT Red Letter Process

In June 1996, the MAG Regional Council approved the ADOT Red Letter process, which requires MAG member agencies to notify ADOT of potential development activities in freeway alignments. Development activities include actions on plans, zoning and permits. ADOT has forwarded a list of notifications from January 1, 2008 to June 30, 2008. Upon request any of the notices can be removed from the consent agenda and returned for action at a future meeting. Please refer to the enclosed material.

5E. Information and discussion.

*5F. 2008 Annual Report on the Status of the Implementation of Proposition 400

Arizona Revised Statute 28-6354 requires that MAG issue an annual report on the status of projects funded by the half-cent sales tax authorized by Proposition 400. The 2008 Annual Report is the fourth report in this series. Staff will brief the Regional Council on the findings of the 2008 report, including the status of the Life Cycle Programs for Freeways/Highways, Arterial Streets, and Transit. A Summary of Findings and Issues has been enclosed and the full report is available on the MAG website. Please refer to the enclosed material.

*5G. Project Changes: Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program and the FY 2009 Arterial Life Cycle Program

The FY 2008-2012 MAG Transportation Improvement Program (TIP) was approved by the MAG Regional Council on July 25, 2007, and the FY 2009 Arterial Life Cycle Program (ALCP) was approved by the MAG Regional Council on June 25, 2008. Since that time, there have been requests from member agencies to modify projects in the programs. The proposed project changes to the FY 2008-2012 TIP are listed in the attached Tables. The project changes in Table A were recommended for approval by the Transportation Policy Committee and include three projects funded by the Federal Safe Routes to School Program in Avondale, Gilbert, and Phoenix and a Federal High Priority Project in Scottsdale. Table A also includes requested project changes for funding and schedule changes to Arizona Department of Transportation projects on Loop 303, and explains the ALCP project change requests by Fountain Hills and Scottsdale to modify regional costs for project work phases. Since the Transportation Policy Committee meeting in October, it was found that four paving projects in Chandler, El Mirage, Ft. McDowell, and Phoenix funded with CMAQ funds need to be included in the FY 2008-2012 TIP, which are listed in Table B. These four projects were

5F. Information and discussion.

5G. Approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, the FY 2009 Arterial Life Cycle Program, and as appropriate, to the Regional Transportation Plan 2007 Update, as shown in the attached table.

previously approved by Regional Council in January 2008. The amendment includes projects that may be categorized as exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. Please refer to the enclosed material.

*5H. Commuter Rail Update

The Regional Transportation Plan that was presented to the voters in Proposition 400 included \$5 million to develop commuter rail options and implementation strategies. In January 2006, the Regional Council approved forming a commuter rail stakeholders group to assist in preparing a draft scope of work for a commuter rail study. In October 2006, the Regional Council approved selecting URS Corporation to develop a MAG Commuter Rail Strategic Plan. In April 2008, the Regional Council accepted the MAG Commuter Rail Strategic Plan and recommended that MAG proceed with the first four implementation steps: 1) Ongoing Coordination; 2) Union Pacific Passenger Rail Coordination; 3) Burlington Northern Santa Fe Railway Coordination; and 4) Regional Transit Planning. In July 2008, the Regional Council Executive Committee approved the selection of URS Corporation to develop the Grand Avenue Commuter Rail Corridor Development Plan for an amount not to exceed \$600,000. At the time, several members advocated that the Union Pacific Corridor also be studied. This corridor was not included due to the Arizona Department of Transportation's (ADOT) current work with Union Pacific on the corridor leading from Tucson to the Phoenix metropolitan area and Union Pacific's desire to only work with ADOT on the corridor. Union Pacific's position has recently changed and ADOT has indicated that a team arrangement with MAG and ADOT on the Union Pacific Corridor within the MAG region would be workable. It is anticipated that a scope of work will be discussed in the Commuter Rail Stakeholders group for a Union Pacific Development Plan within the MAG region. The cost of the Union Pacific Development Plan will

5H. Information.

be determined once the scope is identified. Due to the greater track length than the Grand Avenue Commuter Rail Corridor Development Plan, the cost is likely to exceed the \$600,000 amount that was approved for the Grand Avenue Corridor. Additional transit studies will require another staff member at MAG. Currently MAG has a 1/4 staff position vacancy that could be used as part of a full time position. Another component of the Union Pacific corridor is a grant received by ADOT to develop an environmental impact statement for the corridor between Tucson and Phoenix. This grant requires a 50/50 match (\$1 million). A report on these commuter rail activities was provided to the Regional Council Executive Committee and Transportation Policy Committee. Once the project scope is determined, a request to fund the study and the staff position will be provided to the Management Committee and Regional Council Executive Committee.

AIR QUALITY ITEMS

*5I. Conformity Consultation

The Maricopa Association of Governments is conducting consultation on conformity assessments for an amendment and administrative modification to the FY 2008-2012 MAG Transportation Improvement Program. The proposed amendment contains several projects, including three projects funded by the Federal Safe Routes to School Program in Avondale, Gilbert, and Phoenix and a Federal High Priority Project in Scottsdale. The proposed administrative modification contains several projects, including funding and schedule changes to Arizona Department of Transportation projects on Loop 303 and minor revisions to three Pima Road projects in Scottsdale. Since the Transportation Policy Committee meeting in October, it was found that four additional paving projects in Chandler, El Mirage, Fort McDowell Yavapai Nation, and Phoenix funded with CMAQ funds were inadvertently omitted from the amendment to the FY 2008-2012 TIP approved by the MAG Regional Council on July 23, 2008.

5I. Consultation.

These four projects were previously approved by the Regional Council on January 30, 2008 and need to be included in the MAG TIP. The amendment includes projects that may be categorized as exempt from a conformity determination and the administrative modification includes minor project revisions that do not require a conformity determination. Comments on the conformity assessments are requested by December 3, 2008. Please refer to the enclosed material.

GENERAL ITEMS

*5J. Approval of the Draft July 1, 2008 Maricopa County and Municipality Resident Population Updates

MAG staff has prepared draft July 1, 2008, Maricopa County and Municipality Resident Population Updates. The Updates, which are used to allocate \$23 million in lottery funds to local jurisdictions, prepare budgets and set expenditure limitations, were prepared using the 2005 Census Survey as the base and housing unit data supplied and verified by MAG member agencies. Because there may be changes to the Maricopa County control total by the Arizona Department of Commerce, the MAG Population Technical Advisory Committee recommended approval of these Updates provided that the County control total is within one percent of the final control total. The Management Committee recommended approval. Please refer to the enclosed material.

*5K. Proposed 2009 Revisions to MAG Standard Specifications and Details for Public Works Construction

The MAG Standard Specifications and Details Committee has completed its review of proposed 2009 revisions to the MAG Standard Specifications and Details for Public Works Construction. These revisions are currently being reviewed by MAG member agency Public Works Directors and/or Engineers for a one month period. If no objections to any of the proposed

5J. Approval of the July 1, 2008 Maricopa County and Municipality Resident Population Updates provided that the Maricopa County control total is within one percent of the final control total.

5K. Information and discussion.

revisions have been suggested within the month review time frame, then the proposed revisions will be regarded as approved and formal changes to the printed and electronic copies will be released. It is anticipated that the annual update packet will be available for purchase in early January 2009. This item was provided to the Management Committee. Please refer to the enclosed material.

ITEMS PROPOSED TO BE HEARD

TRANSPORTATION ITEMS

6. METRO Light Rail Update

On December 27, 2008, the new 20-mile light rail system (METRO) will begin service. This is the culmination of many years of work by METRO and others to bring a new mode of travel to this region. Many events are being planned to celebrate this effort and important safety information is being made available to the public. A status report on the project and activities relevant to the grand opening will be provided.

7. Transportation Planning Update

At the October 15, 2008, Transportation Policy Committee (TPC) meeting, the financial outlook for the Regional Freeway Program was discussed. Staff presented items for future discussion by the TPC to bring the 20-year costs and revenues in balance for the program. At the November 19, 2008, TPC meeting, the strategies were further discussed, along with an updated financial report for the freeway program that incorporates the revised revenue projections. In addition, a report from a peer review group regarding regional transit was also provided to the TPC. An update on the items under discussion by the TPC will be provided to the members of the Regional Council.

6. Information and discussion.

7. Information and discussion.

GENERAL ITEMS

8. Outdoor Light Pollution

Members of Arizona's astronomy community approached MAG about issues related to outdoor light pollution in Maricopa County. A presentation on Outdoor Light Pollution Standards was given to the MAG Planners Stakeholders Group in August. It was reported that outdoor light pollution creates a significant waste of electricity and money, and degrades the visibility of our night skies. Arizona is home to world-class observatories with an estimated \$250 million annual benefit to the state's economy. The local astronomy community would like the counties, municipalities and Tribal Nations to consider revisiting the adequacy and enforcement of their respective lighting ordinances in an effort to reduce light pollution associated with population growth. The goal is to provide quality lighting to improve visibility, save energy, and protect dark skies. Please refer to the enclosed material.

8. Information and discussion.

9. Defining a Citizen's Agenda for Arizona

The Center for the Future of Arizona will be conducting a Gallup Poll for the purpose of building a citizen's agenda that reflects what Arizonans are thinking and identifies a set of clear, measurable goals that describe "The Arizona We Want" in authentic language that is meaningful to citizens. From the input received from the poll, the Center will produce a set of goals, scorecards and "how to" strategies that citizens are willing to support - and which can be addressed by future political candidates using common language. A presentation on the project will be provided.

9. Information and discussion.

10. Implementation of GovDelivery for Electronic Communication

MAG has instituted a new system to provide faster delivery of information to the MAG member agencies and the general public. The GovDelivery system will facilitate more rapid communication, promote public access to information, allow interested parties to have more control over the information they receive

10. Information, discussion and input on mail delivery preferences.

from MAG and facilitate a reduction in paper mailings to reduce costs and environmental impacts. An update on the implementation will be provided and members will be requested to indicate preferences regarding the delivery of electronic and hard copy mailings. Please refer to the enclosed material.

11. Legislative Update

Recently Congress has been considering a stimulus package to boost the national economy. To provide information for this effort, staff has provided funding amounts in transportation and other categories that may be possible to implement in a short period of time. Staff will provide an update on these Congressional efforts.

12. Comments from the Council

An opportunity will be provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

11. Information and discussion.

12. Information.